

that the establishment of a tolerance is not necessary to protect the public health. Therefore, the exemption from requirement of a tolerance is established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this document in the **Federal Register**, file written objections and/or request a hearing with the Hearing Clerk, at the address given above (40 CFR 178.20). A copy of the objections and/or hearing requests filed with the Hearing Clerk should be submitted to the OPP docket for this rulemaking. The objections submitted must specify the provisions of the regulation deemed objectionable and the grounds for the objections (40 CFR 178.25). Each objection must be accompanied by the fee prescribed by 40 CFR 180.33(i). If a hearing is requested, the objections must include a statement of the factual issue(s) on which a hearing is requested, the requestor's contentions on such issues, and a summary of any evidence relied upon by the objector (40 CFR 178.27). A request for a hearing will be granted if the Administrator determines that the material submitted shows the following: There is a genuine and substantial issue of fact; there is a reasonable possibility that available evidence identified by the requestor would, if established, resolve one or more of such issues in favor of the requestor, taking into account uncontested claims or facts to the contrary; and resolution of the factual issue(s) in the manner sought by the requestor would be adequate to justify the action requested (40 CFR 178.32).

Under Executive Order 12866 (58 FR 51735, Oct. 4, 1993), the Agency must determine whether the regulatory action is "significant" and therefore subject to review by the Office of Management and Budget (OMB) and the requirements of the Executive Order. Under section 3(f), the order defines a "significant regulatory action" as an action that is likely to result in a rule (1) having an annual effect on the economy of \$100 million or more, or adversely and materially affecting a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities (also referred to as "economically significant"); (2) creating serious inconsistency or otherwise interfering with an action taken or planned by another agency; (3) materially altering the budgetary impacts of entitlement, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raising novel legal or policy issues arising out of legal

mandates, the President's priorities, or the principles set forth in this Executive Order.

Pursuant to the terms of the Executive Order, EPA has determined that this rule is not "significant" and is therefore not subject to OMB review.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: February 14, 1995.

Daniel M. Barolo,

Director, Office of Pesticide Programs.

Therefore, 40 CFR part 180 is amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. In subpart D, by adding new § 180.1144, to read as follows:

§ 180.1144 *Candida oleophila* isolate I-182; exemption from the requirement of a tolerance.

Candida oleophila isolate I-182, when used as a post-harvest biological fungicide, is exempted from the requirement of a tolerance in or on all raw agricultural commodities.

[FR Doc. 95-4599 Filed 2-28-95; 8:45 am]

BILLING CODE 6560-50-F

40 CFR Part 721

[OPPTS-50620; FRL-4868-4]

RIN 2070-AB27

Significant New Uses of Certain Chemical Substances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is promulgating significant new use rules (SNURs) under section 5(a)(2) of the Toxic Substances

Control Act (TSCA) for certain chemical substances which were the subject of premanufacture notices (PMNs) and subject to TSCA section 5(e) consent orders issued by EPA. Today's action requires persons who intend to manufacture, import, or process these substances for a significant new use to notify EPA at least 90 days before commencing the manufacturing or processing of the substance for a use designated by this SNUR as a significant new use. The required notice will provide EPA with the opportunity to evaluate the intended use, and if necessary, to prohibit or limit that activity before it occurs. EPA is promulgating this SNUR using direct final procedures.

DATES: The effective date of this rule is May 1, 1995. This rule shall be promulgated for purposes of judicial review at 1 p.m. Eastern Standard Time on March 15, 1995. If EPA receives notice before March 31, 1995 that someone wishes to submit adverse or critical comments on EPA's action in establishing a SNUR for one or more of the chemical substances subject to this rule, EPA will withdraw the SNUR for the substance for which the notice of intent to comment is received and will issue a proposed SNUR providing a 30-day period for public comment.

ADDRESSES: Each comment or notice of intent to submit adverse or critical comment must bear the docket control number OPPTS-50620 and the name(s) of the chemical substance(s) subject to the comment. All comments should be sent in triplicate to: Environmental Protection Agency, OPPT Document Receipt Officer (7407), 401 M St., SW., Rm. E-G099, Washington, DC 20460. All comments which are claimed confidential must be clearly marked as such. Three additional sanitized copies of any comments containing confidential business information (CBI) must also be submitted. Nonconfidential versions of comments on this rule will be placed in the rulemaking record and will be available for public inspection.

FOR FURTHER INFORMATION CONTACT: James B. Willis, Acting Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E-543B, 401 M St., SW., Washington, DC 20460, Telephone: (202) 554-1404, TDD: (202) 554-0551.

SUPPLEMENTARY INFORMATION: This SNUR will require persons to notify EPA at least 90 days before commencing manufacturing or processing a substance for any activity designated by this SNUR as a significant new use. The supporting rationale and background to this rule are

more fully set out in the preamble to EPA's first direct final SNURs published in the **Federal Register** of April 24, 1990 (55 FR 17376). Consult that preamble for further information on the objectives, rationale, and procedures for the rules and on the basis for significant new use designations including provisions for developing test data.

I. Authority

Section 5(a)(2) of TSCA (15 U.S.C. 2604(a)(2)) authorizes EPA to determine that a use of a chemical substance is a "significant new use." EPA must make this determination by rule after considering all relevant factors, including those listed in section 5(a)(2). Once EPA determines that a use of a chemical substance is a significant new use, section 5(a)(1)(B) of TSCA requires persons to submit a notice to EPA at least 90 days before they manufacture, import, or process the substance for that use. The mechanism for reporting under this requirement is established under 40 CFR 721.10.

II. Applicability of General Provisions

General provisions for SNURs appear under subpart A of 40 CFR part 721. These provisions describe persons subject to the rule, recordkeeping requirements, exemptions to reporting requirements, and applicability of the rule to uses occurring before the effective date of the final rule. Provisions relating to user fees appear at 40 CFR part 700. Persons subject to this SNUR must comply with the same notice requirements and EPA regulatory procedures as submitters of PMNs under section 5(a)(1)(A) of TSCA. In particular, these requirements include the information submission requirements of section 5(b) and 5(d)(1), the exemptions authorized by section 5(h)(1), (2), (3), and (5), and the regulations at 40 CFR part 720. Once EPA receives a SNUR notice, EPA may take regulatory action under section 5(e), 5(f), 6, or 7 to control the activities on which it has received the SNUR notice. If EPA does not take action, EPA is required under section 5(g) to explain in the **Federal Register** its reasons for not taking action.

Persons who intend to export a substance identified in a proposed or final SNUR are subject to the export notification provisions of TSCA section 12(b). The regulations that interpret section 12(b) appear at 40 CFR part 707. Persons who intend to import a chemical substance identified in a final SNUR are subject to the TSCA section 13 import certification requirements, which are codified at 19 CFR 12.118 through 12.127 and 127.28. Such persons must certify that they are in

compliance with the SNUR requirements. The EPA policy in support of the import certification appears at 40 CFR part 707.

III. Substances Subject to This Rule

EPA is establishing significant new use and recordkeeping requirements for the following chemical substances under 40 CFR part 721 subpart E. In this unit, EPA provides a brief description for each substance, including its PMN number, chemical name (generic name if the specific name is claimed as CBI), CAS number (if assigned), basis for the action taken by EPA in the section 5(e) consent order or as a non-section 5(e) SNUR for the substance (including the statutory citation and specific finding), toxicity concern, and the CFR citation assigned in the regulatory text section of this rule. The specific uses which are designated as significant new uses are cited in the regulatory text section of this document by reference to 40 CFR part 721, subpart B where the significant new uses are described in detail. Certain new uses, including production limits and other uses designated in the rule are claimed as CBI. The procedure for obtaining confidential information is set out in Unit VII. of this preamble.

Where the underlying section 5(e) order prohibits the PMN submitter from exceeding a specified production limit without performing specific tests to determine the health or environmental effects of a substance, the tests are described in this unit. As explained further in Unit VI. of this preamble, the SNUR for such substances contains the same production limit, and exceeding the production limit is defined as a significant new use. Persons who intend to exceed the production limit must notify the Agency by submitting a significant new use notice (SNUN) at least 90 days in advance. In addition, this unit describes tests that are recommended by EPA to provide sufficient information to evaluate the substance, but for which no production limit has been established in the section 5(e) order. Descriptions of recommended tests are provided for informational purposes.

Data on potential exposures or releases of the substances, testing other than that specified in the section 5(e) order for the substances, or studies on analogous substances, which may demonstrate that the significant new uses being reported do not present an unreasonable risk, may be included with significant new use notification. Persons submitting a SNUN must comply with the same notice requirements and EPA regulatory procedures as submitters of PMNs, as

stated in 40 CFR 721.1(c), including submission of test data on health and environmental effects as described in 40 CFR 720.50.

EPA is not publishing SNURs for two PMN substances, P-93-1096 and P-94-138, which are subject to a final 5(e) consent order. The 5(e) consent orders for these substances are derived from an exposure finding based solely on substantial production volume and significant or substantial human exposure and/or release to the environment of substantial quantities. For these cases there were limited or no toxicity data available for the PMN substances. In such cases, EPA regulates the new chemical substances under section 5(e) by requiring certain toxicity tests. For instance, chemical substances with potentially substantial releases to surface waters would be subject to toxicity testing of aquatic organisms and chemicals with potentially substantial human exposures would be subject to health effects testing for mutagenicity, acute effects, and subchronic effects. However, for these substances, the short-term toxicity testing required by the 5(e) order is usually completed within 1 to 2 years of notice of commencement. EPA's experience with exposure-based SNURs requiring short-term testing is that the SNUR is often revoked within 1 to 2 years when the test results are received. Rather than issue and revoke SNURs in such a short span of time, EPA will defer publication of exposure-based SNURs until either a Notice of Commencement (NOC) or data demonstrating risk are received unless the toxicity testing required is long-term. EPA is issuing this explanation and notification as required in 40 CFR 721.160(a)(2) as it has determined that SNURs are not needed at this time for these substances which are subject to a final 5(e) consent order under TSCA.

PMN Number P-93-193

Chemical name: Propanol, [2-(1,1-dimethyl-ethoxy)methylethoxy]-.

CAS number: 132739-31-2.

Effective date of section 5(e) consent order: May 7, 1994.

Basis for section 5(e) consent order: The order was issued under section 5(e)(1)(A)(i) and (ii)(II) of TSCA based on a finding that this substance is expected to be produced in substantial quantities and there may be substantial human exposures and environmental release.

Recommended testing: EPA has determined that the results of an Ames assay (with and without activation)(40 CFR 798.5265), an in vivo mouse micronucleus assay by the intraperitoneal route (40 CFR 798.5395),

a one-specie (oral) developmental toxicity test (40 CFR 798.4900), and a 90-day subchronic oral toxicity with functional observation battery (FOB) study, neuropathology, and motor activity (NTIS PB-91-145617 neurotoxicity guideline) would help characterize possible health effects of the substance. EPA has also determined that an inherent biodegradability in soil test (40 CFR 796.3400), a semicontinuous activated sludge test (40 CFR 796.3340), and a soil thin layer chromatography (40 CFR 796.2700) or sediment and soil adsorption isotherm test (40 CFR 796.2750) would help characterize possible environmental effects of the substance. The PMN submitter has agreed not to exceed the production volume limit without performing these tests.
CFR citation: 40 CFR 721.8170.

PMN Numbers P-93-313 through 316

Chemical name: (generic) Carboxylic acids, (C6-C9) branched and linear.
CAS number: Not available.
Effective date of section 5(e) consent order: April 16, 1994.
Basis for section 5(e) consent order: The order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to the environment.
Toxicity concern: Toxicity testing of the PMN substances demonstrated potential chronic toxicity to fish and aquatic organisms.
Recommended testing: The Agency recommends a daphnid chronic toxicity study (40 CFR 797.1330) for P-93-313 and P-93-316 and a fish early life stage toxicity study (40 CFR 797.1600) for P-93-316 to characterize potential environmental effects.
CFR citation: 40 CFR 721.2088.

PMN Number P-93-339

Chemical name: (generic) Methacrylic ester.
CAS number: Not available.
Effective date of section 5(e) consent order: November 4, 1994.
Basis for section 5(e) consent order: The order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to health.
Toxicity concern: The substance may cause cancer based on toxicity data for similar acrylates which have been shown to cause cancer in test animals.
Recommended testing: EPA has determined that the results of a two-species rodent bioassay (40 CFR 798.3300) would help characterize the carcinogenic effects of the PMN

substance. Toxicity data on representative members of the acrylate/methacrylate class of chemical substances being developed by certain acrylate and methacrylate manufacturers may also be useful in evaluating the risk posed by the PMN substance.

CFR citation: 40 CFR 721.3028.

PMN Numbers P-93-374 and P-93-375

Chemical name: (generic) Substituted benzotriazole derivatives.
CAS number: Not available.
Effective date of section 5(e) consent order: January 14, 1994.
Basis for section 5(e) consent order: The order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that these substances may present an unreasonable risk of injury to health.
Toxicity concern: Based on analogy to similar chemicals, the PMN substances may cause systemic or reproductive effects in test animals.
Recommended testing: The Agency has determined that the results of a 90-day subchronic toxicity gavage study in rats (40 CFR 798.1650) would help characterize possible human health effects.
CFR citation: 40 CFR 721.1760.

PMN Number P-93-578

Chemical name: Methylenabisbenzotriazole.
CAS number: Not available.
Effective date of section 5(e) consent order: February 4, 1993.
Basis for section 5(e) consent order: The order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to human health.
Toxicity concern: Similar chemicals have been shown to cause systemic and reproductive toxicity in test animals.
Recommended testing: A 90-day gavage study in rats (40 CFR 798.2650) would help characterize systemic and reproductive effects. The PMN submitter has agreed not to exceed the production volume limit without performing this test.
CFR citation: 40 CFR 721.1755.

PMN Number P-93-721

Chemical name: Furan, 2-(ethoxymethyl)tetrahydro-.
CAS number: Not available.
Effective date of section 5(e) consent order: May 7, 1994.
Basis for section 5(e) consent order: The order was issued under section 5(e)(1)(A)(i) and (ii)(II) of TSCA based on a finding that this substance is expected to be produced in substantial

quantities and there may be substantial human exposures and environmental release.

Recommended testing: EPA has determined that an activated sludge test and an aerobic aquatic biodegradation study (40 CFR 796.3100) would help characterize possible environmental effects of the substance. EPA has determined that the results of an acute oral study (40 CFR 798.1175), an Ames assay (40 CFR 798.5265), a mouse micronucleus assay by the intraperitoneal route (40 CFR 798.5395), and a 28-day repeated dose oral study in rats (OECD Guideline No. 407) would help characterize possible health effects of the substance. The consent order contains two production volume triggers. The PMN submitter has agreed not to exceed the first production volume limit without performing the environmental effects tests. The PMN submitter has agreed not to exceed the second production volume limit without performing the health effects tests.
CFR citation: 40 CFR 721.3815.

PMN Number P-93-1043

Chemical name: (generic) Polysulfide mixture.
CAS number: Not available.
Effective date of section 5(e) consent order: April 15, 1994.
Basis for section 5(e) consent order: The order was issued under section 5(e)(1)(A)(i), (ii)(I), and (ii)(II) of TSCA based on a finding that this substance may present an unreasonable risk of injury to the environment and that this substance is expected to be produced in substantial quantities and that there may be significant or substantial human exposure.
Toxicity concern: Structurally similar chemicals have been shown to cause toxicity to aquatic organisms.
Recommended testing: EPA has determined that an Ames assay (with and without activation) (40 CFR 798.5265); an in vivo mouse micronucleus test (intraperitoneal) (40 CFR 798.5395); an oral LD50 study in rats (40 CFR 798.1175); a 28-day repeated dose oral study in rats (OECD Guideline No. 407), with the following modifications: (a) for all test doses, a neurotoxicity functional observational battery (NTIS:PB 91-154617), and (b) for the highest test dose group only, histopathologic examination extended to include the testes/ovaries and lungs, plus neuropathology (NTIS:PB 91-154617); and developmental toxicity testing (40 CFR 798.4900; oral route; one species) would better characterize the potential human health effects. The PMN submitter has agreed not to exceed

the production volume limit without performing these tests. EPA has determined that a 96-hour bioassay in algae (40 CFR 797.1050); a 48-hour LC50 test in daphnia (40 CFR 797.1300); a 96-hour test in fish (40 CFR 797.1400); a SCAS test (40 CFR 797.3340); an aerobic aquatic biodegradation (40 CFR 797.3100); and an indirect photolysis test (40 CFR 796.3765), would better characterize the potential environmental effects. These tests would be required to evaluate the potential environmental and fate effects which may be caused by the PMN substance if the substance were to be released into the waters of the United States.

CFR citation: 40 CFR 721.9540.

PMN Number P-93-1111

Chemical name: Butanamide, 2,2'-[3,3'-di-chloro[1,1'-biphenyl]-4,4'-diyl]bisazobis[N-2,3-dihydro-2-oxo-1H-benzimidazol-5-yl]-3-oxo-.

CAS number: 78245-94-0.

Effective date of section 5(e) consent order: May 27, 1994.

Basis for section 5(e) consent order: The order was issued under section 5(e)(1)(A)(i) and (ii)(I) of TSCA based on a finding that this substance may present an unreasonable risk of injury to human health and the environment.

Toxicity concern: Structurally similar chemicals have been shown to cause carcinogenicity and mutagenicity in test animals and toxicity to aquatic organisms.

Recommended testing: The following data are recommended to help characterize the PMN substance's potential to cause human health and environmental effects: Monitoring data to detect the presence of dichlorobenzidine (DCB) under actual conditions of use; monitoring data to detect airborne concentrations of DCB; monitoring data on releases of DCB to surface waters. (See Agency for guidelines and information on performing monitoring studies.) Also recommended to help determine the PMN substance's potential to cause environmental effects: An anaerobic biodegradation (40 CFR 797.3140).
CFR citation: 40 CFR 721.1907.

PMN Number P-93-1308

Chemical name: (generic) Dialkyl ether.
CAS number: Not available.

Basis for action: The PMN substance will be used as described in the PMN. Based on analogy to neutral organic compounds, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 180 parts per billion (ppb) of the PMN substance in surface waters. EPA determined that use of the substance as described in the

PMN did not present an unreasonable risk because the substance would not be released to surface waters resulting in concentrations above 180 ppb. EPA has determined that other uses of the substance may result in releases to surface water at concentrations above 180 ppb. Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(4)(ii).

Recommended testing: EPA has determined that a fish acute toxicity study (40 CFR 797.1400), a daphnid acute toxicity study (40 CFR 797.1300), and an algal acute toxicity study (40 CFR 797.1050) would help characterize environmental effects of the PMN substance.

CFR citation: 40 CFR 721.3437.

PMN Numbers P-93-1423 through 1426

Chemical name: (generic) Silanes substituted macrocycle polyethyl.
CAS number: Not available.

Basis for action: The PMN substances will be used as intermediates. Based on analogy to alkoxysilanes, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 20 ppb of the PMN substances in surface waters. EPA determined that use of the substances as described in the PMN did not present an unreasonable risk because the substances would not be released to surface waters. EPA has determined that other uses of the substances may result in releases to surface waters which exceed the concern concentration. Based on this information, the PMN substances meet the concern criteria at § 721.170(b)(4)(ii).

Recommended testing: EPA has determined that a fish acute toxicity study (40 CFR 797.1400), a daphnid acute toxicity study (40 CFR 797.1300), and an algal acute toxicity study (40 CFR 797.1050) would help characterize the environmental effects of the PMN substances.

CFR citation: 40 CFR 721.9505.

PMN Number P-93-1447

Chemical name: (generic) Bis(imidoethylene) benzene.
CAS number: Not available.

Basis for action: The PMN substance will be used as a rubber additive. Based on submitted toxicity testing of the substance, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 2 ppb of the PMN substance in surface waters and that general systemic effects may occur to exposed workers. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk because the substance

would not be released to surface waters and significant worker exposure would not occur because the substance was not manufactured domestically. EPA has determined that other uses of the substance may result in releases to surface waters which exceed the concern concentration and significant worker exposure. Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(4)(i) and (b)(3)(i).

Recommended testing: EPA has determined that a fish acute toxicity study (40 CFR 797.1400), a daphnid acute toxicity study (40 CFR 797.1300), and an algal acute toxicity study (40 CFR 797.1050) would help characterize the environmental effects of the PMN substance. EPA has determined that a 90-day subchronic study (40 CFR 798.2650) would help characterize the health effects of the PMN substance.
CFR citation: 40 CFR 721.1187.

PMN Number P-93-1471

Chemical name: (generic) Allyloxysubstituted heterocycle.
CAS number: Not available.

Basis for action: The PMN substance will be used as an intermediate. Based on analogy to aliphatic amines, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 70 ppb of the PMN substance in surface waters. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk because the substance would not be released to surface waters resulting in concentrations above 70 ppb. EPA has determined that other uses of the substance may result in releases to surface water at concentrations above 70 ppb. Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(4)(ii).

Recommended testing: EPA has determined that a fish acute toxicity study (40 CFR 797.1400), a daphnid acute toxicity study (40 CFR 797.1300), and an algal acute toxicity study (40 CFR 797.1050) would help characterize the environmental effects of the PMN substance.

CFR citation: 40 CFR 721.4110.

PMN Number P-94-34

Chemical name: 2,4-Imidazolidinedione, bromochloro-5,5-dimethyl-.

CAS number: Not available.
Basis for action: The PMN substance will be used as described in the PMN. Based on analogy to a structurally similar compound, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 7 ppb of the PMN substance in surface waters.

EPA determined that use of the substance as described in the PMN did not present an unreasonable risk because the substance will be used as a solid and would not be released to surface waters resulting in concentrations above 10 ppb. EPA has determined that other uses of the substance may result in releases to surface water at concentrations above 10 ppb. Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(4)(ii).

Recommended testing: EPA has determined that a fish acute toxicity study (40 CFR 797.1400), a daphnid acute toxicity study (40 CFR 797.1300), and an algal acute toxicity study (40 CFR 797.1050) would help characterize the environmental effects of the PMN substance.

CFR citation: 40 CFR 721.4470.

PMN Numbers P-94-322 and P-94-323

Chemical name: (generic) Polyfluorocarboxylates.

CAS number: Not available.

Basis for action: The substances will be used as intermediates. Based on analogy to similar chemicals, EPA expects the substances to cause developmental toxicity, systemic toxicity, and acute toxicity as well as toxicity to aquatic organisms at a concentration of 5 ppb of the substances in surface waters. EPA determined that use of the substances as described in the PMN did not present an unreasonable risk because the substances would not be released to surface waters and the substances would be used as an intermediate which would not result in exposure to workers. EPA has determined that manufacture, processing, and use of the substances other than as a site-limited intermediate could result in releases to surface waters and exposures to workers. Based on this information, the substances meet the concern criteria at § 721.170(b)(4)(ii) and (b)(3)(ii).

Recommended testing: EPA has determined a chronic 60-day fish early life stage toxicity test in rainbow trout (40 CFR 797.1600) and a 21-day chronic daphnid toxicity test (40 CFR 797.1350) would help characterize the environmental effects of the substance. EPA has also determined that a 90-day subchronic study (40 CFR 798.2650) and a two-species developmental toxicity study (40 CFR 798.4900) would help characterize the health effects of the substances.

CFR citation: 40 CFR 721.3790.

PMN Numbers P-94-325 through 327

Chemical name: (generic) Alkoxyated alkyldiethylenetriamine, alkyl sulfate salts.

CAS number: Not available.

Basis for action: The PMN substances will be used as cellulose softeners. Based on analogy of the substances to cationic surfactants, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 4 ppb of the PMN substances in surface waters. EPA determined that use of the substances as described in the PMN did not present an unreasonable risk because the substances would not be released to surface waters. EPA has determined that consumer uses of the substances may result in releases to surface waters which exceed the concern concentration. Based on this information, the PMN substances meet the concern criteria at § 721.170(b)(4)(ii).

Recommended testing: EPA has determined that a fish acute toxicity study (40 CFR 797.1400), a daphnid acute toxicity study (40 CFR 797.1300), and an algal acute toxicity study (40 CFR 797.1050) would help characterize the environmental effects of the PMN substance.

CFR citation: 40 CFR 721.2410.

PMN Number P-94-422

Chemical name: (generic) Branched synthetic fatty acid.

CAS number: Not available.

Basis for action: The PMN substance will be used as an industrial lubricant raw material. Based on analogy to 2-ethylhexanoic acid and valproic acid, the PMN substance may cause liver toxicity and developmental toxicity. EPA has determined that persons exposed to the PMN substance dermally and by inhalation may be at risk for these effects. EPA determined that importation of the substance as an industrial lubricant raw material did not present an unreasonable risk because there were no significant dermal or inhalation exposures. EPA has determined that domestic manufacture, use other than as an intermediate, or nonindustrial use may result in significant dermal and inhalation exposures. Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(3)(ii).

Recommended testing: EPA has determined that an oral developmental toxicity study in two species (40 CFR 798.4900) and an oral 90-day subchronic study (40 CFR 798.2650) would help characterize the health effects of the PMN substance.

CFR citation: 40 CFR 721.3627.

PMN Number P-94-499

Chemical name: (generic) Substituted azo metal complex dye.

CAS number: Not available.

Basis for action: The PMN substance will be used as a textile dye. Based on analogy to similar substances, the PMN substance may cause cancer. Based on submitted test data and analogy to similar substances, the PMN substance is toxic to aquatic organisms. EPA has determined that exposed workers may be at risk for cancer and water releases may be toxic to aquatic organisms. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk because there were no significant environmental releases or worker exposures. EPA has determined that environmental releases or water releases during manufacturing may result in significant human or environmental exposures as described in § 721.170(c)(2)(ii). Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(1)(i)(C) and (b)(4)(i).

Recommended testing: EPA has determined that a 2-year two-species oral bioassay (40 CFR 798.3300) or other testing to address the bioavailability of metabolites of concern will help characterize the health effects of the PMN substance. EPA has also determined that a daphnid acute toxicity study (40 CFR 797.1300) and an algal acute toxicity study (40 CFR 797.1050) would help characterize the environmental effects of the PMN substance.

CFR citation: 40 CFR 721.4594.

PMN Number P-94-682

Chemical name: (generic) Hydroxyalkyl-quinoline dioxindan dialkylcarboxamide.

CAS number: Not available.

Basis for action: The PMN substance will be used as a color component. Based on analogy to phenols, EPA is concerned that chronic toxicity to aquatic organisms may occur at concentrations as low as 1 ppb of the PMN substance in surface waters. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk because the substance would not be released to surface waters. EPA has determined that other uses of the substance may result in releases to surface waters at concentrations above 1 ppb. Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(4)(ii).

Recommended testing: EPA has determined a chronic 60-day fish early life stage toxicity test in rainbow trout (40 CFR 797.1600), and a 21-day chronic daphnid toxicity test (40 CFR 797.1350) would help characterize the environmental effects of the substance.

CFR citation: 40 CFR 721.2085.

PMN Number P-94-982

Chemical name: (generic) Methylamine esters.

CAS number: Not available.

Basis for action: The PMN substances will be used as an intermediate. Based on analogy to aliphatic amines, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 1 ppb of the PMN substances in surface waters. EPA determined that use of the substances as described in the PMN did not present an unreasonable risk because the substances would be used as an intermediate limiting release to surface waters. EPA has determined that other uses of the substances may result in releases to surface water at concentrations above 1 ppb. Based on this information, the PMN substances meet the concern criteria at § 721.170(b)(4)(ii).

Recommended testing: EPA has determined that a fish acute toxicity study (40 CFR 797.1400), a fish acute toxicity study modified with humic acid (40 CFR 797.1400), a daphnid acute toxicity study (40 CFR 797.1300), and an algal acute toxicity study (40 CFR 797.1050) would help characterize the environmental effects of the PMN substances.

CFR citation: 40 CFR 721.3034.

PMN Number P-94-1009

Chemical name: (generic) Trifunctional aliphatic blocked urethane cross-linker.

CAS number: Not available.

Basis for action: The PMN substance will be used as a coating. Based on analogy to aliphatic amines, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 1 ppb of the PMN substance in surface waters. EPA determined that use of the substance as described in the PMN did not present an unreasonable risk because the substance would not be released to surface waters resulting in concentrations above 1 ppb. EPA has determined that other uses of the substance may result in releases to surface water at concentrations above 1 ppb. Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(4)(ii).

Recommended testing: EPA has determined that a fish acute toxicity study (40 CFR 797.1400), a fish acute toxicity study modified with humic acid (40 CFR 797.1400), a daphnid acute toxicity study (40 CFR 797.1300), and an algal acute toxicity study (40 CFR 797.1050) would help characterize the environmental effects of the PMN substance.

CFR citation: 40 CFR 721.9962.

PMN Number P-94-1039

Chemical name: (generic) Diazo substituted carbomonocyclic metal complex.

CAS number: Not available.

Basis for action: The PMN substance will be used as a leather dye. Based on analogy to similar substances, the PMN substance may cause cancer, developmental toxicity, reproductive toxicity, chronic toxicity to the liver, kidneys, and blood, and environmental toxicity to aquatic organisms. EPA has determined that persons exposed to the PMN substance through inhalation and aquatic organisms exposed to the substance in surface waters may be at risk for these toxic effects. EPA has determined that use of the substance as described in the PMN did not present an unreasonable risk because there were no significant environmental releases or worker exposures from manufacturing. EPA has determined that environmental releases and worker exposures during manufacturing may result in significant exposures. Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(3)(ii) and (b)(4)(ii).

Recommended testing: EPA has determined that a 90-day oral subchronic study (40 CFR 798.2650), a two-generation reproduction study (40 CFR 798.4700), a developmental toxicity study (40 CFR 708.4900), a 2-year two-species oral bioassay (40 CFR 798.3300), and a chronic 60-day fish early life stage toxicity test in rainbow trout (40 CFR 797.1600), would help characterize the toxicity effects of the PMN substance.

CFR citation: 40 CFR 721.4596.

PMN Number P-94-1129

Chemical name: (generic) Alkylcyano substituted pyridazo benzoate.

CAS number: Not available.

Basis for action: The PMN substance will be used as a color component. Based on analogy to esters and neutral organic compounds, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 10 ppb of the PMN substance in surface waters. EPA determined that use of the substances as described in the PMN did not present an unreasonable risk because the substance would not be released to surface waters. EPA has determined that other uses of the substance may result in releases to surface waters which exceed the concern concentration. Based on this information, the PMN substance meets the concern criteria at § 721.170(b)(4)(ii).

Recommended testing: EPA has determined that a fish acute toxicity

study (40 CFR 797.1400), a daphnid acute toxicity study (40 CFR 797.1300), and an algal acute toxicity study (40 CFR 797.1050) would help characterize the environmental effects of the PMN substance.

CFR citation: 40 CFR 721.8670.

PMN Numbers P-94-1238, 1239, 1241, 1242, and 1243

Chemical name: Propanenitrile, 3-[amino, *N*-tallowalkyl] dipropylene- and tripropylene-tri- and propanenitrile, 3-[amino, (C₁₄₋₁₈ and C₁₆₋₁₈ unsaturated alkyl)] trimethylenedi-, dipropylene- and tripropylenetetra-.

CAS number: Not available.

Basis for action: The PMN substances will be used as intermediates. Based on analogy to aliphatic amines, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 1 ppb of the PMN substances in surface waters. EPA determined that use of the substances as described in the PMN did not present an unreasonable risk because the substances would not be released to surface waters. EPA has determined that other uses of the substances may result in releases to surface waters which exceed the concern concentration. Based on this information, the PMN substances meet the concern criteria at § 721.170(b)(4)(ii).

Recommended testing: EPA has determined that a fish acute toxicity study (40 CFR 797.1400), a daphnid acute toxicity study (40 CFR 797.1300) and an algal acute toxicity study (40 CFR 797.1050) would help characterize the environmental effects of the PMN substances.

CFR citation: 40 CFR 721.8155.

PMN Numbers P-94-1244 through 1246

Chemical name: Amines, *N*-(C₁₄₋₁₈ and C₁₆₋₁₈ unsaturated alkyl)] dipropylene-tri-, tripropylenetetra-, and tetrapropylenepenta-.

CAS number: Not available.

Basis for action: The PMN substances will be used as an asphalt emulsion. Based on analogy to aliphatic amines, EPA is concerned that toxicity to aquatic organisms may occur at concentrations as low as 1 ppb of the PMN substances in surface waters. EPA determined that use of the substances as described in the PMN did not present an unreasonable risk because the substances would not be released to surface waters. EPA has determined that other uses of the substances may result in releases to surface waters which exceed the concern concentration. Based on this information, the PMN

substances meet the concern criteria at § 721.170(b)(4)(ii).

Recommended testing: EPA has determined that a fish acute toxicity study (40 CFR 797.1400), a daphnid acute toxicity study (40 CFR 797.1300), and an algal acute toxicity study (40 CFR 797.1050) would help characterize the environmental effects of the PMN substances.

CFR citation: 40 CFR 721.642.

IV. Objectives and Rationale of the Rule

During review of the PMNs submitted for the chemical substances that are subject to this SNUR, EPA concluded that, for 12 of the substances, regulation was warranted under section 5(e) of TSCA, pending the development of information sufficient to make reasoned evaluations of the health or environmental effects of the substances. The basis for such findings is outlined in Unit III. of this preamble. Based on these findings, section 5(e) consent orders requiring the use of appropriate controls were negotiated with the PMN submitters; the SNUR provisions for these substances designated herein are consistent with the provisions of the section 5(e) orders.

In the other 28 cases for which the proposed uses are not regulated under a section 5(e) order, EPA determined that one or more of the criteria of concern established at 40 CFR 721.170 were met.

EPA is issuing this SNUR for specific chemical substances which have undergone premanufacture review to ensure that: EPA will receive notice of any company's intent to manufacture, import, or process a listed chemical substance for a significant new use before that activity begins; EPA will have an opportunity to review and evaluate data submitted in a SNUR notice before the notice submitter begins manufacturing, importing, or processing a listed chemical substance for a significant new use; when necessary to prevent unreasonable risks, EPA will be able to regulate prospective manufacturers, importers, or processors of a listed chemical substance before a significant new use of that substance occurs; and all manufacturers, importers, and processors of the same chemical substance which is subject to a section 5(e) order are subject to similar requirements. Issuance of a SNUR for a chemical substance does not signify that the substance is listed on the TSCA Inventory. Manufacturers, importers, and processors are responsible for ensuring that a new chemical substance subject to a final SNUR is listed on the TSCA Inventory.

V. Direct Final Procedures

EPA is issuing these SNURs as direct final rules, as described in 40 CFR 721.160(c)(3) and 721.170(d)(4). In accordance with 40 CFR 721.160(c)(3)(ii), this rule will be effective on May 1, 1995, unless EPA receives a written notice by March 31, 1995 that someone wishes to make adverse or critical comments on EPA's action. If EPA receives such a notice, EPA will publish a notice to withdraw the direct final SNUR for the specific substance to which the adverse or critical comments apply. EPA will then propose a SNUR for the specific substance providing a 30-day comment period. This action establishes SNURs for a number of chemical substances. Any person who submits a notice of intent to submit adverse or critical comments must identify the substance and the new use to which it applies. EPA will not withdraw a SNUR for a substance not identified in a notice.

VI. Test Data and Other Information

EPA recognizes that section 5 of TSCA does not require developing any particular test data before submission of a SNUN. Persons are required only to submit test data in their possession or control and to describe any other data known to or reasonably ascertainable by them. In cases where a section 5(e) order requires or recommends certain testing, Unit III. of this preamble lists those recommended tests. However, EPA has established production limits in the section 5(e) orders for several of the substances regulated under this rule, in view of the lack of data on the potential health and environmental risks that may be posed by the significant new uses or increased exposure to the substances. These production limits cannot be exceeded unless the PMN submitter first submits the results of toxicity tests that would permit a reasoned evaluation of the potential risks posed by these substances. Under recent consent orders, each PMN submitter is required to submit each study at least 14 weeks (earlier orders required submissions at least 12 weeks) before reaching the specified production limit. Listings of the tests specified in the section 5(e) orders are included in Unit III. of this preamble. The SNURs contain the same production volume limits as the consent orders. Exceeding these production limits is defined as a significant new use. The recommended studies may not be the only means of addressing the potential risks of the substance. However, SNUNs submitted for significant new uses without any test data may increase the likelihood that

EPA will take action under section 5(e), particularly if satisfactory test results have not been obtained from a prior submitter. EPA recommends that potential SNUN submitters contact EPA early enough so that they will be able to conduct the appropriate tests. SNUN submitters should be aware that EPA will be better able to evaluate SNUNs which provide detailed information on:

- (1) Human exposure and environmental release that may result from the significant new use of the chemical substances.
- (2) Potential benefits of the substances.
- (3) Information on risks posed by the substances compared to risks posed by potential substitutes.

VII. Procedural Determinations

EPA is establishing through this rule some significant new uses which have been claimed as CBI. EPA is required to keep this information confidential to protect the CBI of the original PMN submitter. EPA promulgated a procedure to deal with the situation where a specific significant new use is CBI. This procedure appears in 40 CFR 721.1725(b)(1) and is similar to that in § 721.11 for situations where the chemical identity of the substance subject to a SNUR is CBI. This procedure is cross-referenced in each of these SNURs.

A manufacturer or importer may request EPA to determine whether a proposed use would be a significant new use under this rule. Under the procedure incorporated from § 721.1725(b)(1), a manufacturer or importer must show that it has a *bona fide* intent to manufacture or import the substance and must identify the specific use for which it intends to manufacture or import the substance. If EPA concludes that the person has shown a *bona fide* intent to manufacture or import the substance, EPA will tell the person whether the use identified in the *bona fide* submission would be a significant new use under the rule. Since most of the chemical identities of the substances subject to these SNURs are also CBI, manufacturers and processors can combine the *bona fide* submission under the procedure in § 721.1725(b)(1) with that under § 721.11 into a single step.

If a manufacturer or importer is told that the production volume identified in the *bona fide* submission would not be a significant new use, i.e. it is below the level that would be a significant new use, that person can manufacture or import the substance as long as the aggregate amount does not exceed that identified in the *bona fide* submission to

EPA. If the person later intends to exceed that volume, a new *bona fide* submission would be necessary to determine whether that higher volume would be a significant new use. EPA is considering whether to adopt a special procedure for use when CBI production volume is designated as a significant new use. Under such a procedure, a person showing a *bona fide* intent to manufacture or import the substance, under the procedure described in § 721.11, would automatically be informed of the production volume that would be a significant new use. Thus the person would not have to make multiple *bona fide* submissions to EPA for the same substance to remain in compliance with the SNUR, as could be the case under the procedures in § 721.1725(b)(1).

VIII. Applicability of Rule to Uses Occurring Before Effective Date of the Final Rule

To establish a significant "new" use, EPA must determine that the use is not ongoing. The chemical substances subject to this rule have recently undergone premanufacture review. Section 5(e) orders have been issued for 12 substances and notice submitters are prohibited by the section 5(e) orders from undertaking activities which EPA is designating as significant new uses. In cases where EPA has not received a Notice of Commencement (NOC) and the substance has not been added to the Inventory, no other person may commence such activities without first submitting a PMN. For substances for which an NOC has not been submitted at this time, EPA has concluded that the uses are not ongoing. However, EPA recognizes in cases when chemical substances identified in this SNUR are added to the Inventory prior to the effective date of the rule, the substances may be manufactured, imported, or processed by other persons for a significant new use as defined in this rule before the effective date of the rule. However, 27 of the 40 substances contained in this rule have CBI chemical identities, and since EPA has received a limited number of post-PMN *bona fide* submissions, the Agency believes that it is highly unlikely that any of the significant new uses described in the following regulatory text are ongoing. As discussed in the **Federal Register** of April 24, 1990 (55 FR 17376), EPA has decided that the intent of section 5(a)(1)(B) is best served by designating a use as a significant new use as of the date of publication of the final rule rather than as of the effective date of the rule. Thus, persons who begin commercial manufacture, import,

or processing of the substances regulated through this SNUR will have to cease any such activity before the effective date of this rule. To resume their activities, these persons would have to comply with all applicable SNUR notice requirements and wait until the notice review period, including all extensions, expires.

EPA has promulgated provisions to allow persons to comply with this SNUR before the effective date. If a person were to meet the conditions of advance compliance under § 721.45(h), the person would be considered to have met the requirements of the final SNUR for those activities. If persons who begin commercial manufacture, import, or processing of the substance between publication and the effective date of the SNUR do not meet the conditions of advance compliance, they must cease that activity before the effective date of the rule. To resume their activities, these persons would have to comply with all applicable SNUR notice requirements and wait until the notice review period, including all extensions, expires.

IX. Economic Analysis

EPA has evaluated the potential costs of establishing significant new use notice requirements for potential manufacturers, importers, and processors of the chemical substances subject to this rule. EPA's complete economic analysis is available in the public record for this rule (OPPTS-50620).

X. Rulemaking Record

EPA has established a record for this rulemaking (docket control number OPPTS-50620). The record includes information considered by EPA in developing this rule. A public version of the record without any CBI is available in the TSCA Nonconfidential Information Center (NCIC) from 12 noon to 4 p.m., Monday through Friday, except legal holidays. The TSCA NCIC is located in Rm. NE-B607, 401 M St., SW., Washington, DC 20460.

XI. Regulatory Assessment Requirements

A. Executive Order 12866

Under Executive Order 12866 (58 FR 51735, October 4, 1993), the Agency must determine whether the regulatory action is "significant" and therefore subject to all the requirements of the Executive Order (i.e., Regulatory Impact Analysis, review by the Office of Management and Budget (OMB)). Under section 3(f), the order defines a "significant regulatory action" as an

action likely to lead to a rule (1) Having an annual effect on the economy of \$100 million or more, or adversely and materially affecting a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or tribal governments or communities ("also referred to as economically significant"); (2) creating serious inconsistency or otherwise interfering with an action taken or planned by another agency; (3) materially altering the budgetary impacts of entitlement, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raising novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive Order. Pursuant to the terms of this Executive Order, it has been determined that this rule is not "significant" and is therefore not subject to OMB review.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act (5 U.S.C. 605(b)), EPA has determined that this rule would not have a significant impact on a substantial number of small businesses. EPA has determined that approximately 10 percent of the parties affected by this rule could be small businesses. However, EPA expects to receive few SNURs for these substances. Therefore, EPA believes that the number of small businesses affected by this rule will not be substantial, even if all of the SNUR notice submitters were small firms.

C. Paperwork Reduction Act

OMB has approved the information collection requirements contained in this rule under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), and has assigned OMB control number 2070-0012. Public reporting burden for this collection of information is estimated to vary from 30 to 170 hours per response, with an average of 100 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Chief, Information Policy Branch (2131), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; and to Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, marked "Attention: Desk Officer for EPA." The final rule will respond to any OMB or

public comments on the information requirements contained in this proposal.

List of Subjects in 40 CFR Part 721

Environmental protection, Chemicals, Hazardous materials, Reporting and recordkeeping requirements, Significant new uses.

Dated: February 16, 1995.

Susan B. Hazen,

Acting Director, Office of Pollution Prevention and Toxics.

Therefore, 40 CFR part 721 is amended as follows:

PART 721—[AMENDED]

1. The authority citation for part 721 continues to read as follows:

Authority: 15 U.S.C. 2604, 2607, and 2625(c).

2. By adding new § 721.642 to subpart E to read as follows:

§ 721.642 Amines, *N*-(C₁₄₋₁₈ and C₁₆₋₁₈ unsaturated alkyl)] dipropylene-tri-, tripropylenetetra-, and tetrapropylenepenta-

(a) *Chemical substances and significant new uses subject to reporting.*

(1) The chemical substances amines, *N*-(C₁₄₋₁₈ and C₁₆₋₁₈ unsaturated alkyl)] dipropylenetri-, (PMN P-94-1244), tripropylenetetra- (PMN P-94-1245), and tetrapropylenepenta- (PMN P-94-1246) are subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a), (b), (c), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

3. By adding new § 721.1187 to subpart E to read as follows:

§ 721.1187 Bis(imidoethylene) benzene.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance bis(imidoethylene)benzene (PMN P-93-1447) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(f).

(ii) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a), (b), (c), (i), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

4. By adding new § 721.1755 to subpart E to read as follows:

§ 721.1755 Methylenebisbenzotriazole.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance methylenebisbenzotriazole (P-93-578) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.* During both manufacture and use of the substance, requirements as specified in § 721.63(a)(4), (a)(6)(i), (b) (concentration set at 1.0 percent) and (c). During manufacture of the PMN substance § 721.63(a)(5)(i); during use of the PMN substance § 721.63(a)(5)(iii), (a)(5)(iv), (a)(5)(v), (a)(5)(vi), and (a)(5)(vii).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b), (c), (d), (e) (concentration set at 1.0 percent), (f), (g)(1)(iv), (g)(1)(vi), (g)(2)(iii), (g)(2)(iv), and (g)(5).

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(l) and (g).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125 (a), (b), (c), (d), (f), (g), (h), and (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

(3) *Determining whether a specific use is subject to this section.* The provisions of § 721.1725(b)(1) apply to this section.

5. By adding new § 721.1760 to subpart E to read as follows:

§ 721.1760 Substituted benzotriazole derivatives.

(a) *Chemical substances and significant new uses subject to reporting.*

(1) The chemical substances identified generically as substituted benzotriazole derivatives (PMNs P-93-374 and P-93-375) are subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(1), (b) (concentration set at 1.0 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b), (c), (d), (e) (concentration set at 1.0 percent), (f), (g)(1)(i), (g)(1)(iv), (g)(1)(vi), (g)(2)(i), (g)(2)(v), and (g)(5).

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(g), (v)(1), (w)(1), and (x)(1).

(iv) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a), (b), (c), (d), (f), (g), (h), (i), and (k) are applicable to manufacturers, importers, and processors of these substances.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

6. By adding new § 721.1907 to subpart E to read as follows:

§ 721.1907 Butanamide, 2,2'-[3,3'-dichloro [1,1'-biphenyl]-4,4'-diyl]bisazobis[*N*-2,3-dihydro-2-oxo-1*H*-benzimidazol-5-yl]-3-oxo-

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance butanamide, 2,2'-[3,3'-dichloro[1,1'-biphenyl]-4,4'-diyl]bisazobis[*N*-2,3-dihydro-2-oxo-1*H*-benzimidazol-5-yl]-3-oxo- (PMN P-93-1111) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Hazard communication program.* Requirements as specified in § 721.72(a), (b), (c), (d), (e) (concentration set at 0.1 percent), (f), (g)(1)(vii), (g)(2)(i), (g)(2)(ii), (g)(2)(iii), (g)(3)(i), (g)(3)(ii), (g)(4)(iii), and (g)(5).

(ii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(f) and processing or use at temperatures above 280 °C.

(iii) *Release to water.* Requirements as specified in § 721.90(b)(1) and (c)(1). When the substance is processed, or used as a colorant for dyeing plastics, this section does not apply.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a), (b), (c), (f), (g), (h), (i), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

7. By adding new § 721.2085 to subpart E to read as follows:

§ 721.2085 Hydroxyalkylquinoline dioxindandialkylcarboxamide.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as a hydroxyalkylquinoline dioxindandialkylcarboxamide (PMN P-94-682) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a), (b), (c), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

8. By adding new § 721.2088 to subpart E to read as follows:

§ 721.2088 Carboxylic acids, (C6-C9) branched and linear.

(a) *Chemical substances and significant new uses subject to reporting.*

(1) The chemical substances identified generically as carboxylic acids, (C6-C9) branched and linear (PMNs P-93-313, 314, 315, and 316) are subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Hazard communication program.* Requirements as specified in § 721.72(a), (b), (c), (d), (f), (g)(3)(i), (g)(3)(ii), (g)(4)(iii) and (g)(5).

(ii) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4) (where N = 300 ppb for P-93-313, 314, and 315 and N = 50 ppb for P-93-316).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a), (b), (c), (f), (g), (h), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

9. By adding new § 721.2410 to subpart E to read as follows:

§ 721.2410 Alkoxyated alkyl diethylenetriamine, alkyl sulfate salts.

(a) *Chemical substances and significant new uses subject to reporting.*

(1) The chemical substances identified generically as alkoxyated alkyl diethylenetriamine, alkyl sulfate salts (PMN P-94-325, 326, and 327) are subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(o).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a), (b), (c), and (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

10. By adding new § 721.3028 to subpart E to read as follows:

§ 721.3028 Methacrylic ester.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as a methacrylic ester (PMN P-93-339) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace.* Requirements as specified in § 721.63(a)(1), (a)(2)(i), (a)(2)(iii), (a)(2)(iv), (a)(3), (a)(4), (a)(5)(xi), (a)(6)(i), (a)(6)(ii), (a)(6)(iv), (a)(6)(v), (b)

(concentration set at 0.1 percent), and (c).

(ii) *Hazard communication program.* Requirements as specified in § 721.72(a), (b), (c), (d), (e)

(concentration set at 0.1 percent), (f), (h)(1)(i)(A), (h)(1)(i)(B), (h)(1)(i)(C), (h)(1)(vi), (h)(2)(i)(B), (h)(2)(i)(C), and (h)(2)(i)(D).

(iii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(o).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a) through (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

11. By adding new § 721.3034 to subpart E to read as follows:

§ 721.3034 Methylamine esters.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as methylamine esters (PMN P-94-982) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(g).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a), (b), (c), and (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

12. By adding new § 721.3437 to subpart E to read as follows:

§ 721.3437 Dialkyl ether.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as dialkyl ether (PMN P-93-1308) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4) (where N = 180 ppb).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a), (b), (c), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

13. By adding new § 721.3627 to subpart E to read as follows:

§ 721.3627 Branched synthetic fatty acid.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as a branched synthetic fatty acid (PMN P-94-422) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(f), (g), and (l).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a), (b), (c), and (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

14. By adding new § 721.3790 to subpart E to read as follows:

§ 721.3790 Polyfluorocarboxylates.

(a) *Chemical substances and significant new uses subject to reporting.*

(1) The chemical substances identified generically as polyfluorocarboxylates (PMNs P-94-322 and P-94-323) are subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(g).

(ii) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a), (b), (c), (i), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

15. By adding new § 721.3815 to subpart E to read as follows:

§ 721.3815 Furan, 2-(ethoxymethyl)-tetrahydro-.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance furan, 2-(ethoxymethyl) tetrahydro- (P-93-721) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Hazard communication program.* A significant new use of this substance is any manner or method of manufacture, import, or processing associated with any use of this substance without providing risk notification as follows:

(A) If, as a result of the test data required under the section 5(e) consent order for this substance, the employer becomes aware that this substance may present a risk of injury to human health or the environment, the employer must incorporate this new information, and any information on methods for protecting against such risk, into a Material Safety Data Sheet (MSDS) as described in § 721.72(c) within 90 days from the time the employer becomes aware of the new information. If this substance is not being manufactured, imported, processed, or used in the employer's workplace, the employer must add the new information to an MSDS before the substance is reintroduced into the workplace.

(B) The employer must ensure that persons who will receive, or who have received this substance from the employer within 5 years from the date the employer becomes aware of the new information described in paragraph (a)(2)(i)(A) of this section, are provided an MSDS as described in § 721.72(c) containing the information required under paragraph (a)(2)(i)(A) of this section within 90 days from the time the employer becomes aware of the new information.

(ii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(q).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements as

specified in § 721.125(a), (h), and (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

(3) *Determining whether a specific use is subject to this section.* The provisions of § 721.1725(b)(1) apply to this section.

16. By adding new § 721.4110 to subpart E to read as follows:

§ 721.4110 Allyloxysubstituted heterocycle.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as an allyloxysubstituted heterocycle (PMN P-93-1471) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4) (where N = 70 ppb).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a), (b), (c), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

17. By adding new § 721.4470 to subpart E to read as follows:

§ 721.4470 2,4-Imidazolidinedione, bromochloro-5,5-dimethyl-.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance 2,4-imidazolidinedione, bromochloro-5,5-dimethyl- (PMN P-94-34) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(v)(3), (w)(3), and (x)(3).

(ii) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4) (where N = 10 ppb).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a), (b), (c), (i), and (k) are

applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

18. By adding new § 721.4594 to subpart E to read as follows:

§ 721.4594 Substituted azo metal complex dye.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as a substituted azo metal complex dye (PMN P-94-499) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(f).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a) and (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

19. By adding new § 721.4596 to subpart E to read as follows:

§ 721.4596 Diazo substituted carbomonocyclic metal complex.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as a diazo substituted carbomonocyclic metal complex (PMN P-94-1039) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(f).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a) and (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

20. By adding new § 721.8155 to subpart E to read as follows:

§ 721.8155 Propanenitrile, 3-[amino, N-tallowalkyl] dipropylene- and tripropylene- and propanenitrile, 3-[amino, (C₁₄₋₁₈ and C₁₆₋₁₈ unsaturated alkyl)] trimethylenedi-, dipropylene-, and tripropylene-.

(a) *Chemical substances and significant new uses subject to reporting.*

(1) The chemical substances identified as propanenitrile, 3-[amino, N-tallowalkyl] dipropylene- (PMN P-94-1238), propanenitrile, 3-[amino, N-tallowalkyl] tripropylene- (PMN P-94-1239), propanenitrile, 3-[amino, (C₁₄₋₁₈ and C₁₆₋₁₈ unsaturated alkyl)] trimethylenedi- (PMN P-94-1241), propanenitrile, 3-[amino, (C₁₄₋₁₈ and C₁₆₋₁₈ unsaturated alkyl)] dipropylene- (PMN P-94-1242), and propanenitrile, 3-[amino, (C₁₄₋₁₈ and C₁₆₋₁₈ unsaturated alkyl)] tripropylene- (PMN P-94-1243) are subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a), (b), (c), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

21. By adding new § 721.8170 to subpart E to read as follows:

§ 721.8170 Propanol, [2-(1,1-dimethylethoxy)methylethoxy]-.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance propanol, [2-(1,1-dimethylethoxy)methylethoxy]- (CAS no. 132739-31-2) (P-93-193) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Hazard communication program.* A significant new use of this substance is any manner or method of manufacture, import, or processing associated with any use of this substance without providing risk notification as follows:

(A) If, as a result of the test data required under the section 5(e) consent order for this substance, the employer becomes aware that this substance may

present a risk of injury to human health or the environment, the employer must incorporate this new information, and any information on methods for protecting against such risk, into a Material Safety Data Sheet (MSDS) as described in § 721.72(c) within 90 days from the time the employer becomes aware of the new information. If this substance is not being manufactured, imported, processed, or used in the employer's workplace, the employer must add the new information to an MSDS before the substance is reintroduced into the workplace.

(B) The employer must ensure that persons who will receive, or who have received this substance from the employer within 5 years from the date the employer becomes aware of the new information described in paragraph (a)(2)(i)(A) of this section, are provided an MSDS as described in § 721.72(c) containing the information required under paragraph (a)(2)(i)(A) of this section within 90 days from the time the employer becomes aware of the new information.

(ii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(q).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements as specified in § 721.125(a), (h), and (i) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

(3) *Determining whether a specific use is subject to this section.* The provisions of § 721.1725(b)(1) apply to this section.

22. By adding new § 721.8670 to subpart E to read as follows:

§ 721.8670 Alkylcyano substituted pyridazo benzoate.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as an alkylcyano substituted pyridazo benzoate (PMN P-94-1129) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a), (b), (c), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

23. By adding new § 721.9505 to subpart E to read as follows:

§ 721.9505 Silanes substituted macrocycle polyethyl.

(a) *Chemical substances and significant new uses subject to reporting.*

(1) The chemical substances identified generically as silanes substituted macrocycle polyethyl (PMNs P-93-1423, 1424, 1425, and 1426) are subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a), (b), (c), and (k) are applicable to manufacturers, importers, and processors of these substances.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

24. By adding new § 721.9540 to subpart E to read as follows:

§ 721.9540 Polysulfide mixture.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as a polysulfide mixture (PMN P-93-1043) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Hazard communication program.* A significant new use of this substance is any manner or method of manufacture, import, or processing associated with any use of this substance without providing risk notification as follows:

(A) If, as a result of the test data required under the section 5(e) consent order for this substance, the employer becomes aware that this substance may present a risk of injury to human health, or the environment, the employer must incorporate this new information, and any information on methods for protecting against such risk, into the

applicable Material Safety Data Sheet (MSDS) as described in § 721.72(c) within 90 days from the time the employer becomes aware of the new information. If this substance is not being manufactured, imported, processed, or used in the employer's workplace, the employer must add the new information to an MSDS before the substance is reintroduced into the workplace.

(B) The employer must ensure that persons who will receive, or who have received this substance from the employer within 5 years from the date the employer becomes aware of the new information described in paragraph (a)(2)(i)(A) of this section, are provided an MSDS as described in § 721.72(c) containing the information required under paragraph (a)(2)(i)(A) of this section within 90 days from the time the Company becomes aware of the new information. Requirements as specified in § 721.72(a), (b), (c), (d), (f), and (g)(4)(iii).

(ii) *Industrial, commercial, and consumer activities.* Requirements as specified in § 721.80(p) (153,000 kg).

(iii) *Release to water.* Requirements as specified in § 721.90(a)(1), (b)(1), and (c)(1).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a), (b), (c), (f), (g), (h), (i), (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

25. By adding new § 721.9962 to subpart E to read as follows:

§ 721.9962 Trifunctional aliphatic blocked urethane cross-linker.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance identified generically as a trifunctional aliphatic blocked urethane cross-linker (PMN P-94-1009) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Release to water.* Requirements as specified in § 721.90(a)(4), (b)(4), and (c)(4) (where N = 1 ppb).

(ii) [Reserved]

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping requirements.* Recordkeeping requirements specified in § 721.125(a), (b), (c), and (k) are applicable to manufacturers, importers, and processors of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

[FR Doc. 95-5017 Filed 2-28-95; 8:45 am]

BILLING CODE 6560-50-F

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Public Land Order 7117

[CO-930-1430-01; COC-48691]

Withdrawal of National Forest System Lands for Vail Ski Area; Colorado

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order withdraws an additional 4,870 acres of National Forest System lands from mining for protection of recreational resources and facilities at the Vail Ski Area. This withdrawal will protect the lands until 2009, the date the original withdrawal expires. The lands have been and remain open to such forms of disposition as may by law be made of National Forest System lands and to mineral leasing.

EFFECTIVE DATE: March 1, 1995.

FOR FURTHER INFORMATION CONTACT: Doris E. Chelius, BLM Colorado State Office, 2850 Youngfield Street, Lakewood, Colorado 80215-7076, 303-239-3706.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is ordered as follows:

1. Subject to valid existing rights, the following described National Forest System lands are hereby withdrawn from location and entry under the United States mining laws (30 U.S.C. Ch. 2 (1988)), for protection of facilities at the Vail Ski Area:

Sixth Principal Meridian

White River National Forest

T. 5 S., R. 80 W.,
 Sec. 25, SW¹/₄ and W¹/₂W¹/₂SE¹/₄;
 Sec. 26, S¹/₂;
 Sec. 28, S¹/₂;
 Sec. 29, S¹/₂;
 Sec. 30, SE¹/₄NE¹/₄;
 Sec. 32, NE¹/₄, E¹/₂NW¹/₄, N¹/₂NE¹/₄SW¹/₄,
 E¹/₂SE¹/₄, and N¹/₂NW¹/₄SE¹/₄;
 Sec. 33;
 Sec. 34;